

MESSAGE NO: 9211204 MESSAGE DATE: 07/30/2009

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 2234204
MESSAGE #
(s):

CASE #(s): A-583-831

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/04/1999 TO 06/30/2000

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR STAINLESS STEEL SHEET AND STRIP IN COILS
FROM TAIWAN MFR OR EXP BY CHIA FAR (A-583-831) INJ DISSOLVED. LIFT SUSPENSION:
MSG DATE

MESSAGE NO: 9211204

DATE: 07 30 2009

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 2234204

REFERENCE DATE: 08 22 2002

CASES: A - 583 - 831

- -

- - - -
- - - -

PERIOD COVERED: 01 04 1999 TO 06 30 2000

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR STAINLESS STEEL SHEET AND
STRIP IN COILS FROM TAIWAN MFR OR EXP BY CHIA FAR
(A-583-831) INJ DISSOLVED. LIFT SUSPENSION: MSG DATE

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

1. ON 8/02/2004, THE U.S. COURT OF INTERNATIONAL TRADE (CIT)
ISSUED A FINAL DECISION IN THE CASE OF CHIA FAR INDUSTRIAL
FACTORY CO., LTD. V. UNITED STATES (COURT NO. 02-00243).

AS A RESULT OF THIS DECISION, THE INJUNCTIONS TO WHICH
MESSAGES 2234204, DATED 08/22/2002, AND 3029201, DATED

01/29/2003, REFER ENJOINING LIQUIDATION OF ENTRIES WHICH ARE SUBJECT TO THE ANTIDUMPING DUTY ORDER ON STAINLESS STEEL SHEET AND STRIP IN COILS FROM TAIWAN FOR PERIOD 1/04/1999 THROUGH 6/30/2000 MANUFACTURED OR EXPORTED BY CHIA FAR INDUSTRIAL FACTORY CO., LTD., DISSOLVED ON 10/01/2004.

2. FOR ALL SHIPMENTS OF STAINLESS STEEL SHEET AND STRIP IN COILS FROM TAIWAN MANUFACTURED OR EXPORTED BY CHIA FAR INDUSTRIAL FACTORY CO., LTD. AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIODS 1/04/1999 THROUGH 7/03/1999 AND 7/19/1999 THROUGH 6/30/2000, ASSESS AN ANTIDUMPING LIABILITY 21.10 PERCENT OF THE ENTERED VALUE, UNLESS PARAGRAPH #3 IS APPLICABLE.

CHIA FAR INDUSTRIAL FACTORY CO., LTD. DID NOT HAVE AN INDIVIDUAL CASE NUMBER AT THE TIME OF ENTRY FOR THE PERIOD COVERED BY THESE INSTRUCTIONS. ENTRIES BY THIS COMPANY MAY HAVE BEEN MADE UNDER THE CASE NUMBER A-583-831-000.

3. IF A BOND OR CASH DEPOSIT WAS COLLECTED AS SECURITY FOR AN ESTIMATED ANTIDUMPING DUTY FOR ANY SHIPMENT OF MERCHANDISE DESCRIBED IN PARAGRAPH #2 THAT WAS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 1/04/1999 THROUGH 7/03/1999, ASSESS A DUMPING LIABILITY EQUAL TO 21.10 PERCENT OF THE ENTERED CBP VALUE OR EQUAL TO THE AMOUNT OF THE BOND OR CASH DEPOSIT, WHICHEVER IS LESS.

4. ON 7/4/1999, THE PROVISIONAL MEASURES PERIOD EXPIRED. HOWEVER, SUSPENSION OF LIQUIDATION OF SUBJECT MERCHANDISE MAY HAVE CONTINUED.

ACCORDINGLY, FOR SHIPMENTS OF STAINLESS STEEL SHEET AND STRIP IN COILS FROM TAIWAN MANUFACTURED OR EXPORTED BY CHIA FAR INDUSTRIAL FACTORY CO., LTD., AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION THAT REMAINED SUSPENDED DURING THE PERIOD 7/4/1999 THROUGH 7/18/1999, CBP SHOULD TERMINATE THE SUSPENSION OF LIQUIDATION AND LIQUIDATE WITHOUT REGARD TO

ANTIDUMPING DUTIES (I.E., RELEASE ALL BONDS AND REFUND ALL CASH DEPOSITS).

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE MANUFACTURED OR EXPORTED BY CHIA FAR INDUSTRIAL FACTORY CO., LTD. DURING THE PERIOD 1/04/1999 THROUGH 6/30/2000.

FOR ALL OTHER SHIPMENTS OF STAINLESS STEEL SHEET AND STRIP IN COILS FROM TAIWAN YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

6. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

7. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES.

THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER.

INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

8. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF COMMERCE'S REGULATIONS.

THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR

TO LIQUIDATION OF THE ENTRY.

IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER, TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION.

ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

9. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O2:EE).

10. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CHRISTINE M. FURGASON

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party